

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

WSOU INVESTMENTS, LLC D/B/A  
BRAZOS LICENSING AND DEVELOPMENT,

Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE COMPANY,

Defendant.

Civil Action Nos. 6:20-cv-00726-ADA

**JURY TRIAL DEMANDED**

**DECLARATION OF TIMOTHY J. ROUSSEAU IN SUPPORT OF  
BRAZOS'S SUR-REPLY IN OPPOSITION TO HPE'S MOTION TO DISMISS  
FOR LACK OF SUBJECT MATTER JURISDICTION PURSUANT TO FRCP 12(B)(1)**

I, Timothy J. Rousseau, declare as follows:

1. I am an attorney with Brown Rudnick LLP, counsel to plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development ("Brazos"). I am a member of the bar of this Court. I submit this declaration in support of Brazos's Sur-Reply in Opposition to Defendant Hewlett Packard Enterprise Company ("HPE")'s Motion to Dismiss for Lack of Subject Matter Jurisdiction Pursuant to FRCP 12(b)(1). I have personal knowledge of the matters stated in this Declaration and would testify truthfully to them if called upon to do so.

2. Attached as Exhibit AA to Brazos's Sur-Reply is a true and correct copy of the Declaration of Stuart A. Shanus, which was executed on October 29, 2021.

3. Attached as Exhibit BB to Brazos's Sur-Reply are true and correct excerpts from Exhibit A to the to the September 8, 2021 Letter Agreement [REDACTED], which was produced by Brazos bearing Bates numbers beginning at WSOU-HPE-00019616 and WSOU-HPE-00020304.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on October 29, 2021 in New York, New York.

/s/ Timothy J. Rousseau

Timothy J. Rousseau